

Message Text

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ACTION OES-07

INFO OCT-01 ARA-10 EUR-12 EA-10 ISO-00 FEA-01 ACDA-12

AGRE-00 AID-05 CEA-01 CEQ-01 CG-00 CIAE-00

COME-00 DLOS-09 DODE-00 DOTE-00 EB-08 EPA-01

ERDA-05 FMC-01 TRSE-00 H-01 INR-07 INT-05 IO-13

JUSE-00 L-03 NSAE-00 NSC-05 NSF-01 OMB-01 PA-01

PM-05 PRS-01 SP-02 SS-15 USIA-06 /150 W

-----063035 110428Z /13

P 110319Z NOV 77

FM AMEMBASSY WELLINGTON

TO SECSTATE WASHDC PRIORITY 4356

INFO AMEMBASSY CANBERRA

CINCPAC HONOLULU

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY PORT MORESBY

AMEMBASSY SANTIAGO

AMEMBASSY SUVA

AMEMBASSY TAIPEI

AMEMBASSY TOKYO

CINCPACREP GUAM/TTPI

HICOMTERRPACIS

C O N F I D E N T I A L SECTION 01 OF 02 WELLINGTON 05102

DEPARTMENT FOR OES/OFA; CINCPAC ALSO FOR POLAD, TOKYO ALSO
FOR RFO

E.O. 11652: GDS

TAGS: PLOR, PORG, EFIS, NZ, XP

SUBJECT: SUVA MEETING ON SOUTH PACIFIC REGIONAL FISHERIES

AGENCY (SPRFA)

REF: SUVA 1317 (NOTAL)

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1. SUMMARY: EMBOFF MET NOVEMBER 10 WITH MFA REPRESENTA-
TIVES TO ASCERTAIN GOVERNMENT OF NEW ZEALAND (GNZ)
REACTION TO DRAFT CONVENTION FOR ESTABLISHMENT OF SOUTH
PACIFIC REGIONAL FISHERIES AGENCY (SPRFA). (REFTEL
PROVIDED DEPARTMENT WITH TEXT OF DRAFT CONVENTION.)
OVERALL REACTION OF GNZ, AND ONE WHICH MFA HAS COMMUNICA-
TED TO ITS INTERESTED MISSIONS, IS THAT SOUTH PACIFIC

BUREAU FOR ECONOMIC COOPERATION (SPEC) DRAFT IS "OVER-AMBITIOUS AND, IN PLACES, UNNECESSARILY CONTENTIOUS." GNZ SUGGESTS SIMPLER DRAFT TEXT AS STARTING POINT AND -- EVEN AT THIS LATE DATE -- WOULD LIKE TO PUT TOGETHER SMALL DRAFTING GROUP OF PARTICIPANTS TO MEET IN SUVA DAY OR TWO AHEAD OF MAIN MEETING. GNZ DELEGATION TO BE JOINTLY LED BY MFA'S DIRECTOR OF PACIFIC DIVISION, PAUL COTTON, AND ECONOMIC DIVISION HEAD, CHRIS BEEBY. END SUMMARY.

2. EMBOFF MET WITH MFA OFFICIALS (MANSFIELD AND GRANT OF LEGAL DIVISION AND FORTUNE OF PACIFIC DIVISION) NOVEMBER 9 TO REVIEW WITH THEM SPEC'S DRAFT CONVENTION FOR ESTABLISHMENT OF SOUTH PACIFIC REGIONAL FISHERIES AGENCY (TEXT VIA REFTEL). EMBOFF INFORMED OFFICIALS THAT USG REACTION TO DRAFT TEXT WAS UNKNOWN, BUT THAT IT WOULD BE HELPFUL TO US DELEGATION TO SUVA MEETING IF GNZ'S REACTION COULD BE COMMUNICATED TO THE DELEGATION BEFORE HAND.

3. MFA OFFICIALS ADVISED THAT SPEC DRAFT WAS WRITTEN WITHOUT PRIOR CONSULTATION WITH GNZ, AWKWARD TO GNZ IN PART AND "UNACCEPTABLE" IN OTHERS; IN SUM, "OVER-AMBITIOUS AND, IN PLACES, UNNECESSARILY CONTENTIOUS." PRIMARY CONCERN OF GNZ WAS PORTRAYED BY FORTUNE AS ONE OF ENDING UP WITH AN ORGANIZATION WHICH MEETS THE NEEDS OF ALL THE STATES IN FORUM AREA, REGIONAL AND METROPOLITAN, BUT AT THE HIGHEST POSSIBLE COMMON DENOMINATOR. DRAFT, HE SAID, IS TERRIBLY ELABORATE AND, IF STUCK TO, ALMOST CERTAIN TO CONFIDENTIAL

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DRIVE OUT SEVERAL PARTICIPANTS BEFORE AGENCY HAS CHANCE TO GET STARTED. (FORTUNE PORTRAYED USG AND PAPUA NEW GUINEA AS BEING AT OPPOSITE POLES WITH FRENCH DRIFTING SOMEWHERE IN THE MIDDLE, AT ODDS WITH EITHER EXTREME, ON SEVERAL SIGNIFICANT POINTS.)

4. FOLLOWING PARAGRAPHS 4 THROUGH 11 ARE MFA COMMENTS ON PRINCIPAL PROBLEM AREAS WHICH IT LISTED AS:

(A) NATURE AND OBJECTIVES OF AGENCY, INCLUDING (1) SOVEREIGN POWERS, (2) EXTENT OF AGENCY COVERAGE (GEOGRAPHIC AND FISH SPECIES), (3) PRIMARY FOCUS ON CONSERVATION OR MANAGEMENT, (4) OBLIGATIONS OF MEMBERS TO FULFILL AGENCY REQUESTS;

(B) MEMBERSHIP OF AGENCY;

(C) RELATIONSHIP TO SOUTH PACIFIC FORUM;

(D) PARTICIPATION IN CONVENTION;

(E) BUDGETING/FINANCE PROPOSALS;

(F) TIMING OF IMPLEMENTATION; AND

(G) LANGUAGES.

5. NATURE AND OBJECTIVES OF SPRFA. MFA BELIEVES FEW FORUM MEMBERS WOULD BE ABLE TO AGREE TO PARTICIPATE IN A SPRFA WHICH POSSESSES SOVEREIGN POWERS. MFA IS CONFIDENT THAT SPEC SECRETARIAT STAFF UNDERSTOOD THAT FROM PORT MORESBY MEETING AND IS THEREFORE DISAPPOINTED IN THE DRAFT'S SEVERAL REFERENCES TO SOVEREIGN RIGHTS. COVERAGE OF SPRFA SHOULD EXTEND TO COMMONLY SHARED, HIGHLY MIGRATORY SPECIES ONLY. (MFA OFFICIALS BELIEVE "SLOPPY"

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SPEC DRAFTING PERMITTED ARTICLE I'S BROAD REFERENCE TO "LIVING RESOURCES OF CONVENTION AREA." GNZ HAS NO INTENTION OF PERMITTING SPRFA INVOLVEMENT IN NZ'S FISHING ZONE, EXCEPT FOR MIGRATORY SPECIES.) SPEC DRAFT UNWISELY FOCUSES MORE ON RESOURCE MANAGEMENT THAN CONSERVATION. GIVEN PAUCITY OF INFO ON HIGHLY MIGRATORY SPECIES OF SOUTH PACIFIC, GNZ RAISES POSSIBILITY THAT IN INITIAL PHASES OF

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SPRFA'S STEP-BY-STEP DEVELOPMENT, AGENCY SHOULD FOCUS ON ITEMS (A), (B), (C), (D), (G) AND (H) OF ARTICLE VII.

6. MEMBERSHIP. ARTICLE II IN PRESENT SHAPE CERTAIN TO CAUSE PROBLEMS, ESPECIALLY FOR USG.

7. RELATIONSHIP OF AGENCY TO FORUM. GNZ QUESTIONS NEED FOR AGENCY TO BE RESPONSIBLE TO AND SUBORDINATE TO FORUM IF FORUM MEMBERS ARE TO COMPRISE VOTING MAJORITY OF PROPOSED COMMISSION. GNZ BELIEVES THAT UNLESS SPRFA IS AN ENTITY TRULY SEPARATE FRHG THE FORUM, USG, FRANCE AND UK ARE LIKELY TO OBJECT.

8. CONVENTION PARTICIPATION. GNZ WOULD HAVE PROBLEMS WITH ARTICLE XIV (3) WITH PESPECT TO TOKELAU AND BELIEVES USG AND FRANCE WOULD OBJECT WITH RESPECT TO THEIR TERRITORIES.

9. FINANCING. GNZ VIEWS SELF-SUPPORTING AGENCY AS PRESENTLY UNREALISTIC AND PREFERS "INTERIM" FINANCIAL ARRANGEMENTS DISCUSSED IN SPEC PAPER FA4. SPRFA SHOULD OPERATE ON ANNUAL BUDGET OF PARTICIPANT CONTRIBUTIONS AND BE FINANCIALLY INDEPENDENT OF SPEC OR SPC.

10. TIMING. GNZ CONSIDERS AGREEMENT AT AN EARLY STAGE ON AN ALL-EMBRACING CONVENTION TO BE UNLIKELY. INDEED, IF PRIMARY OBJECTIVE IS CONSERVATION OF HIGHLY MIGRATORY SPECIES RATHER THAN MANAGEMENT OF REGIONAL FISHERIES ZONE, SPRFA WOULD NOT NEED TO BE IN PLACE FOR INITIAL YEAR OR TWO AND COMMISSION COULD UNDERTAKE MOST IMPORTANT TASKS OF GATHERING DATA AND FORMALIZING INTERGOVERNMENTAL COOPERATION.

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11. LANGUAGES. GNZ BELIEVES FRANCE WILL REFUSE TO PARTICIPATE IN SPRFA UNLESS FRENCH ALSO DESIGNATED AS OFFICIAL

WORKING LANGUAGE.

12. MFA OFFICIALS STATE THAT PRESENT SPEC DRAFT LIKELY TO RESULT IN A SUVA MEETING WHICH BECOMES BOGGED DOWN IN UNREALISTIC DETAIL AND WHICH COULD SET BACK ENTIRE SPRFA EXERCISE, AS WELL AS "ERODE" FRENCH AND USG WILLINGNESS TO PARTICIPATE. MFA HAS RECOMMENDED TO ITS MISSIONS IN SUVA, APIA, CANBERRA, WASHINGTON, PARIS, LONDON AND PORT MORESBY THAT THE POSSIBILITY OF CONVENING A SMALL RE-DRAFTING GROUP ONE/TWO DAYS PRIOR TO MAIN SUVA MEETING BE INVESTIGATED WITH HCST COUNTRY OFFICIALS -- EVEN AT THIS LATE DATE. PURPOSE OF PRE-MEETING WOULD BE TO TRY AND CHART A PATH WHICH WOULD EASE THE COURSE OF MAIN DISCUSSIONS'

13. ALTHOUGH GNZ DELEGATION TO SUVA MEETING HAS NOT YET BEEN OFFICIALLY DESIGNATED, MFA ADVISES THAT THE LIKELY PARTICIPANTS WILL BE: PAUL COTTON, DELEGATION HEAD AND HEAD OF MFA PACIFIC DIVISION; CHRIS BEEBY, HEAD OF MFA ECONOMIC DIVISION, LOS DELEGATE AND FORMER HEAD OF LEGAL DIVISION; B. T. CUNNINGHAM, DIRECTOR OF FISHERIES, MINISTRY OF AGRICULTURE & FISHERIES; ALAN BRACEGIRDLE, MFA LEGAL DIVISION; AND DAVID K. MC DOWELL, NZ HIGH COMMISSIONER IN SUVA AND PAST HEAD OF MFA EXTERNAL AID DIVISION.

14. IN A PASSING REMARK, MANSFIELD NOTED TO EMBOFF THAT CHILE WAS LIKELY TO PARTICIPATE IN SUVA MEETING. MANSFIELD SAID WESTERN SAMOA PRIMIN TUPUOLA EFI HAD PRESSED GNZ THAT CANADA ALSO BE INVITED, BASED ON AN INTEREST WHICH HAD BEEN EXPRESSED TO HIM BY THE CANADIANS WHILE TUPUOLA WAS IN OTTAWA IN SEPTEMBER. ACCORDING TO MANSFIELD, THE GNZ ACTIVELY OPPOSED TUPUOLA'S SUGGESTION FOR A CANADIAN INVITATION ON THE PREMISE THAT, IF CANADA WEPE INCLUDED, THERE WOULD BE NO WAY OF EXCLUDING JAPAN. LAST THING GNZ WANTS, HE SAID, IS FOR DISTANT WATER FISHING NATIONS TO BE REPRESENTED AT SUVA MEETING. HE NOTED CONFIDENTIAL

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THAT GNZ "DOES NOT, OF COURSE, INCLUDE THE US IN THAT GROUP." HEALY

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Message Attributes

Automatic Decaptioning: X
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Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
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Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
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